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9/28/2012 11:48 am

U.S. DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
LONG ISLAND OFFICE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ALLSTATE INSURANCE COMPANY,
ALLSTATE INDEMNITY COMPANY,
ALLSTATE PROPERTY AND CASUALTY
INSURANCE COMPANY, ALLSTATE NEW
JERSEY INSURANCE COMPANY,
CONTINENTAL INSURANCE COMPANY,
DEERBROOK INSURANCE COMPANY,
ENCOMPASS INDEMNITY COMPANY, THE
GLENS FALLS INSURANCE COMPANY, and
NATIONAL BEN FRANKLIN INSURANCE
COMPANY OF ILLINOIS,

Plaintiffs,

-against-

INNA POLACK, ALEXANDER POLACK,
YULIY GOLDMAN, MIGHTY MANAGEMENT
GROUP, INC., MIGHTY MANAGEMENT, LLC,
BLUE WAVE MANAGEMENT, INC.,
NATALYA SHVARTSMAN, EMMANUEL
KUCHEROVSKY, AND SHAUN ROBINSON
a/k/a "PRINCE",

Defendants.

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APPEARANCES:

Smith & Brink, P.C.

Attorneys for Plaintiffs

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Garden City, NY 11530

By: Richard Steigman, Esq.,
Michael W. Whitcher, Esq.,
Nathan A. Tilden, Esq.,
Richard D. King, Esq., Of Counsel

Belesi Donovan & Conroy

*Attorneys for Inna Polack, Alexander Polack, Natalya Shvartsman, Mighty Management Group, Inc.,
Mighty Management, LLC*

1225 Franklin Avenue, Suite 400
Garden City, NY 11530

ORDER

08-CV-565(ADS)(ETB)

By: Maria Campese Diglio, Esq., Of Counsel

NO APPEARANCES:

Defendants Yuliy Goldman, Blue Wave Management, Inc., Emmanuel Kucherovsky, Shaun Robinson a/k/a “Prince”

SPATT, District Judge.

On February 28, 2008, the plaintiffs commenced this action against the defendants, asserting claims under the Racketeer and Influenced Corrupt Organizations Act, 18 U.S.C. §§ 1961, et seq., as well as state law. On April 2, 2012, the Court referred this matter to United States Magistrate Judge E. Thomas Boyle, for a report and recommendation as to the amount of damages, attorneys’ fees, and costs to be awarded following the entry of a default judgment against Inna Polack, Alexander Polack, Natalya Shvartsman, Emmanuel Kucherovsky, Yuliy Goldman, Shaun Robinson a/k/a “Prince”, Mighty Management Group, Inc., Mighty Management, LLC, Blue Wave Management, Inc., and Prestige Management Group, Inc.

Subsequently, the plaintiffs withdrew their motions for a default judgment against Shaun Robinson a/k/a “Prince”, Natalya Shvartsman, Emmanuel Kucherovsky, Mighty Management Group, Inc., Mighty Management, LLC, Blue Wave Management, Inc., and Prestige Management Group, Inc. (Docket #'s 477 & 478.)

On September 12, 2012, Judge Boyle issued a Report and Recommendation (“the Report”) recommending that the Court award damages to the plaintiffs as follows: (1) \$7,181,367.41 against Inna Polack, jointly and severally, for payments made to A.R. Medical Art, P.C. between 2000 and 2006, and for payments made to A.R. Medical Rehabilitation, P.C. between 2000 and 2004; (2) \$5,021,446.52 against Alexander Polack, jointly and severally, for payments made to A.R. Medical Art, P.C. between 2000 and 2006; and (3) \$1,882,188.38 against Yuliy Goldman, jointly and

severally, for payments made to the second location of A.R. Medical Art, P.C. between 2002 and 2003. (Report at 16.) In addition, Judge Boyle recommended that the Court dismiss this action with prejudice with respect to Shaun Robinson a/k/a “Prince”, Natalya Shvartsman, Emmanuel Kucherovsky, Mighty Management Group, Inc., Mighty Management, LLC, Blue Wave Management, Inc., and Prestige Management Group, Inc. To date, there have been no objections filed to the Report.

In reviewing a report and recommendation, a court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. §636(b)(1)(C). “To accept the report and recommendation of a magistrate, to which no timely objection has been made, a district court need only satisfy itself that there is no clear error on the face of the record.” Wilds v. United Parcel Serv., 262 F. Supp. 2d 163, 169 (S.D.N.Y. 2003) (citing Nelson v. Smith, 618 F. Supp. 1186, 1189 (S.D.N.Y. 1985)). The Court has reviewed Judge Boyle’s Report and finds it be persuasive and without any legal or factual errors. There being no objection to Judge Boyle’s Report, it is hereby:

ORDERED, that Judge Boyle’s Report and Recommendation is adopted in its entirety. The Court awards to the plaintiffs damages as follows: (1) \$7,181,367.41 against Inna Polack, jointly and severally; (2) \$5,021,446.52 against Alexander Polack, jointly and severally; and (3) \$1,882,188.38 against Yuliy Goldman, jointly and severally. In addition, the Court dismisses this action as against Shaun Robinson a/k/a “Prince”, Natalya Shvartsman, Emmanuel Kucherovsky, Mighty Management Group, Inc., Mighty Management, LLC, Blue Wave Management, Inc., and Prestige Management Group, Inc., with prejudice, and it is further,

ORDERED, that the Clerk of the Court is directed to enter judgment in favor of the plaintiffs
as set forth above, and it is further

ORDERED, that the Clerk of the Court is directed to close this case.

SO ORDERED.

Dated: Central Islip, New York
September 28, 2012

ARTHUR D. SPATT
United States District Judge